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One Southeast Third Avenue
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305 374 5600 *tel* 305 374 5095 *fax*

Felix M. Lasarte
305 755 5824
flasarte@akerman.com

September 1, 2004

VIA FACSIMILE HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128

Re: Church of Jesus Christ Almighty (01-00428)

Dear Ms. O'Quinn Williams:

This letter is to inform you that our client, the Church of Jesus Christ Almighty, has asked us to not go forward with the hearing scheduled for September 30, 2004. They will not respond to your appeal due to the tremendous additional expense and hardship that it brings.

They request that you ask the Board of County Commissioners to retain jurisdiction over the matter and that it vacate the CZAB's decision and uphold your appeal. Our client can no longer continue to afford incurring fees and costs on this matter, which was filed over two years ago.

If you have any questions, please call our office.

Very truly yours,

AKERMAN SENTERFITT

Felix M. Lasarte bf

Felix M. Lasarte

FML/bf
cc: Tucker Gibbs, Esq.
{M2150831;1}

RECEIVED
01-428
JAN 5 2004

ZONING
MIAMI-DADE PLANNING DEPT
BY _____

Akerman Senterfitt
ATTORNEYS AT LAW

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January 5, 2004

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128

**Re: Letter of Clarification; Staff's Analysis (01-00428) Church of Jesus
Christ Almighty**

Dear Ms. O'Quinn Williams:

After meeting with your staff, we were informed that there was insufficient information in the file to determine whether our application met with the standards set forth Section 33-311(17)III B10 and Section 33-311-(17)III B16.

Please accept this letter to clarify our position. We meet Section 33-311 (17) III B 10 in that we will not increase the median building cubic content compared to similarly zoned parcels in the immediate vicinity. The total size of our facility will be 250,000 cubic feet with the modification. New building will have 180,000 cubic feet and existing building has 70,000 cubic feet. The cubic content for similarly zoned buildings in the are is 313,894 ± feet.

Attached please find a graph of the cubic content of surrounding similarly zoned properties.

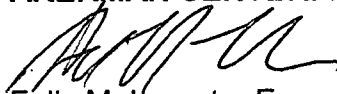
A shadow study will be delivered by our architect to determine if our application meets 33-311(17)111 B 16.

Ms. Diana O'Quinn Williams
January 5, 2004
Page 2

If you have any questions, please call our office.

Very truly yours,

AKERMAN SENTERFITT



Felix M. Lasarte, Esq.

cc: Pastor Yader Simpson

<u>Name</u>	<u>Address</u>	<u>Building Cubic Content</u>
Village Green Missionary Baptist Church	4707 SW 127 Ave	129,568
Moravian Church in America, Southern Provence	SE Corner SW 127 Ave & 60 ST	71,000
Primeria Iglesia Cristiana Discipulos De Cristo	SW 56 St & 118 Ave	113,128
Church of Brethren in Crist Church	12101 SW 56 St	147,064
Inglesia Evangeleian "Nueva Jerusalen"	5400 SW 122 Ave	103,632
Holy Cross Church and School	12425 SW 72 St	712,704
Freedom Baptist Church	12515 SW 72 St	178,192
First Baptist Church of Westwood	5801 SW 120 Ave	1,037,592
Sunset Church of Christ	12001 SW 72 St	332,168 ²

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December 22, 2003

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128

Felix M. Lasarte
305 755 5824
flasarte@akerman.com

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY

**Re: Regulation of Staff's Analysis (01-00428) Church of Jesus Christ
Almighty**

Dear Ms. O'Quinn Williams:

We are in receipt of staff's report dated November 24, 2003 on the above-referenced application ("Application"). The Application went to hearing before Community Zoning Appeal Board 11 on November 2, 2003. The matter was deferred to the next hearing date of January 7, 2004.

After reading your analysis, we would like you to reconsider your evaluation based on the following:

- A. Our Application meets the standards set forth in 33-311(17)III. Based on staff's analysis, our modification will not result in any new adverse impacts.
- B. Our Application meets the standards set forth in 33-311(17) V.(A) 2.(a)(b) and (d). It also meets the standards set forth in 33-311(17)V.(A)6.(a) and 33—311(17)V.(A)9(a)(b) and (c).

We also would like you to reevaluate our Application under the old modification standards.

Ms. Diana O'Quinn Williams
December 18, 2003
Page 2

If you have any questions please call our office.

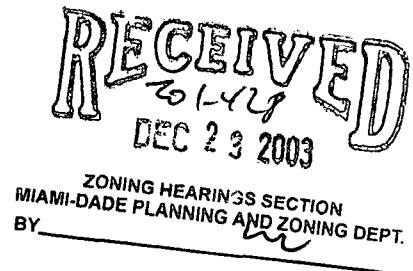
Very truly yours,

AKERMAN SENTERFITT



Felix M. Lasarte, Esq.

cc: Pastor Yader Simpson



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Sumet

Akerman Senterfitt
ATTORNEYS AT LAW

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October 6, 2003

Felix M. Lasarte
305 755 5824
flasarte@akerman.com

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning & Zoning
111 NW First Street, 11th Floor
Miami, FL 33128

Re: Clarification to Letter of Intent (01-00428) Church of Jesus Christ

Dear Ms. O'Quinn Williams:

On Tuesday September 30, 2003, we received an e-mail from Ronald Connally regarding Church of Jesus Christ. The above referenced application is a modification of a previously approved site plan.

This letter shall serve to clarify that we are removing the daycare use from the proposed site, if our modification application is approved by the Community Zoning Appeals Board. Additionally, revised section 33.311 of the Miami-Dade County Code of Ordinances, allows modifications of conditions after a public hearing, where public benefits are created or enhanced to a level or degree that clearly outweighs additional public burdens. Our application meets the criteria set forth in the ordinance. In particular we comply with 33.311 V (A) 2(b) & 33.311 V (A) 9(b) & (c).

Alternately, we would like to have our application reviewed under the old modification standards. Miami-Dade County v. Omnipoint was reversed by the Supreme Court of Florida and our client should be given the opportunity to proceed with a hearing under the old standards. Please note that our client is willing to proceed to hearing under either standard. However, our client needs to get to hearing as soon as possible.


Ms. Diana O'Quinn Williams
April 4, 2003
Page 2



If you have any questions please call our office.

Very truly yours,

AKERMAN, SENTERFITT & EIDSON, P.A.



Felix M. Lasarte, Esq.

cc: Pastor Yader Simpson

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July 28, 2003

Felix M. Lasarte
305 755 5824
flasarte@akerman.com

VIA HAND DELIVERY

Ms. Diane O'Quinn Williams
Director
Miami-Dade County Dept. of Planning & Zoning
111 N.W. First Street, 11th Floor
Miami, FL 33128

**Re: Amended Letter of Intent
(01-00428) – Church of Jesus Christ**

*Sydney J. -
pls handle -
8/29/03*

Dear Ms. O'Quinn Williams:

Our office is representing the Church of Jesus Christ (Iglesia Jesucristo El Todopoderoso) located at 12200 S.W. 56 Street. Our clients submitted an application to modify a condition to a Resolution No. 4-ZAB-19-91. Soon thereafter, *Miami-Dade County v. Omnipoint* held that the County's modification standards were unconstitutional. The Application was not able to move forward.

On April 22, 2003, the Miami-Dade Board of County Commissioners approved an ordinance establishing a new review and approval process and standards for modification. It is our position that our application falls under revised Section 33.311 of the Miami-Dade County Code of Ordinance, particularly Modification of Elimination of Conditions and Restrictive Covenants After Public Hearing, where public benefits are created or enhanced to a level or degree that clearly outweighs additional new public burdens.

More specifically, we comply with Sections 2(a) rehabilitation of blighted buildings and substantial improvement to landscape and Section (9)(b) & (c) substantial improvement to the design of parking areas and drainage and storm water retention.

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ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____

Ms. Diane O'Quinn Williams

July 28, 2003

Page 2

We are submitting a revised plan for you to review.

Very truly yours,

AKERMAN SENTERFITT



Felix M. Lasarte

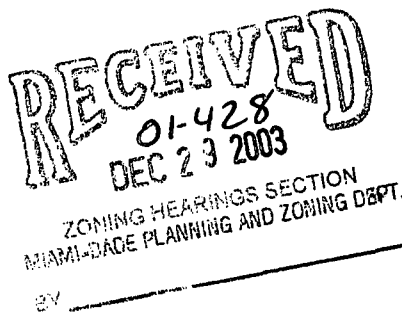
FML/ldb

encl.

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JUL 29 2003

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.

BY _____



Felix Lasarte.
(305) 755-5824
E-Mail: flasarte@akerman.com

December 29, 2003

*Franklin
Please place in
hearing file ASAP
Jan 7 C-11*

VIA FACSIMILE AND HAND DELIVERY

Ms. Diane O'Quinn Williams, Director
Miami-Dade County
Department of Planning and Zoning
111 N.W. First Street, 11th Floor
Miami, Florida 33128

Re: Church of Jesus Christ Almighty / Public Hearing 2001-428 / CZAB 11 / Expert
Testimony

Dear Ms. O'Quinn Williams:

Pursuant to Sec. 33-311(D) of the Miami-Dade County Code, we respectfully advise you that the following expert witnesses may be called to testify on behalf of the above-referenced applicant before Community Zoning Appeals Board 11, on January 7, 2004:

Mr. Henry Iler
Iler Planning Group
11211 Prosperity Farms Road, Suite 205B
Palm Beach Gardens, Florida 33410
561-626-7067

OR

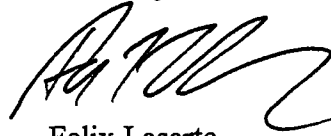
Mr. Robert Curtis
Curtis and Kimball
7520 Red Road, Suite M
South Miami, Florida 33143
(305) 669-3172

The representative of Curtis and Kimball or Iler Planning Group may testify as to Comprehensive Master Plan compatibility issues as well as Miami-Dade County staff's recommendations.

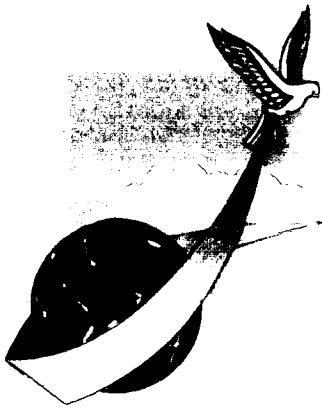
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Thank you for your attention to this matter. Should you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to be 'F. Lasarte', written in a cursive style.

Felix Lasarte



IGLESIA JESUCRISTO EL TODOPODEROSO O

LETTER OF INTENT

December 7, 2001

Miami-Dade County
Department of Planning and Zoning
111 NW First Street
Suite 1110
Miami, FL 33128

Re: Iglesia de Jesucristo el Todopoderoso
12200 SW 56th. Street
Miami, FL
Resolution 4-ZAB-19-91

Dear Mr. Louis Salvat:

Iglesia de Jesucristo el Todopoderoso hereby requests the consideration of the Department of Planning and Zoning to modify condition 2 of Resolution 4-ZAB-19-91 as follows:

To replace "plan prepared by Manuel G. Vera and Associates, Inc." with drawings 1 through 4 prepared by Luis E. Nievas, P.E. dated December 7, 2001.

It is intent of Iglesia de Jesucristo el Todopoderoso to construct a Church as detailed in said plans in strict accord with the South Florida Building Code and all Authorities having jurisdiction.

If further information is needed, please contact me.

Sincerely,


Pastor Yader Simpson

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201-428
DEC 07 2001

ZONING HEARINGS SECTION
MIAMI-DADE PLANNING AND ZONING DEPT.
BY 

PASTORES FUNDADORES: OSCAR & STELLA AGÜERO. PASTORES LOCALES YADER & NOEMI SIMPSON
12200 SW 56 Street, Miami, Fl 33175 • Tel: 305-595-7338 • Fax: 305-595-2170
Email: JCTPKendall@att.net • www.jesucristoeltodopoderoso.com